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 Fund

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

BOARD OF TRUSTEES OF THE CLERKS
 AND LUMBER HANDLERS PENSION
 FUND,

Plaintiffs,

vs.

PIEDMONT LUMBER & MILL COMPANY,
 INC.

Defendant.

Case No. 10-01757 MEJ

STIPULATION AND ~~PROPOSED~~ ORDER
 CONTINUING CASE MANAGEMENT
 CONFERENCE AND RELATED CASE
 MANAGEMENT DEADLINES

Plaintiffs BOARD OF TRUSTEES OF THE CLERKS AND LUMBER HANDLERS
 PENSION FUND and Defendant PIEDMONT LUMBER & MILL COMPANY, INC. stipulate, by
 and through their respective counsel, to continue the dates by which the parties are required to (1)
 meet and confer pursuant to Rule 26(f), which is currently due on or before July 15, 2010; (2) file
 an ADR Certification, which is currently due on or before July 15, 2010; (3) file either a
 Stipulation to ADR Process or Notice of Need for a Phone Conference, which is currently due on
 or before July 15, 2010; (4) file a Rule 26(f) Report, which is currently due on or before July 29,
 2010; (5) file Rule 26(a)(1) Initial Disclosures, which is currently due on or before July 29, 2010;
 and (6) attend the case management conference, which is currently scheduled for August 5, 2010.
 All of the current deadlines for these case management dates were set by the Court's April 23,
 2010 ADR Scheduling Order (Docket #2).

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The parties agree that each of the above referenced deadlines should be continued until after Defendant's response to the Complaint (Docket #1), which is due on or before August 23, 2010. The parties respectfully make this request because the parties believe that the issues presented in the case will be further clarified through the Defendant's response to the Complaint, which clarification, in turn, will potentially affect the content and scope of the parties' Rule 26(f) conference, Rule 26(f) Report and Rule 26(a)(1) Initial Disclosures.

Therefore, in the interests of efficiency, cost effectiveness and judicial economy, the parties agree that each of the above referenced actions shall be rescheduled to dates occurring after the Defendant's response to the Complaint as follows: (1) the parties shall meet and confer pursuant to Rule 26(f) no later than August 30, 2010; (2) the parties shall file an ADR Certification no later than August 30, 2010; (3) the parties shall file either Stipulation to ADR Process or Notice of Need for ADR Phone Conference no later than August 30, 2010; (4) the parties shall file their Rule 26(f) Report and serve Rule 26(a)(1) Initial Disclosures within fourteen (14) days after the parties meet and confer on September 13, 2010; and (5) the case management conference shall be scheduled for September 23, 2010, which is Magistrate Judge James' first available Thursday that is at least twenty-one (21) after the parties meet and confer. The case management conference scheduled for August 5, 2010 shall be taken off the calendar, provided the Court approves this stipulation.

The parties have made no previous requests to extend or shorten any deadlines in this case.

The parties' current request for a continuance of case management deadlines will not alter any other dates or deadlines set by Court order.

DATED: July 14, 2010

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By: /s/ Michelle L. Schuller
 Michelle L. Schuller
 Attorneys for Plaintiff
 BOARD OF TRUSTEES OF THE CLERKS
 AND LUMBER HANDLERS PENSION FUND

1 DATED: July 14, 2010

McNutt Law Group, LLP

3 By: /s/ Douglas C. Graham
4 Douglas C. Graham
5 Attorneys for Defendant
6 **PIEDMONT LUMBER & MILL COMPANY,**
7 **INC.**


8 I attest that I have obtained Mr. Graham's concurrence in the filing of this document.

9 Dated: July 14, 2010

10 /s/ Michelle L. Schuller
11 Michelle L. Schuller

12 PURSUANT TO STIPULATION, IT IS SO ORDERED.

13 DATED: July 14, 2010

14 
15 Honorable Maria-Elena James, Magistrate Judge
16 United States District Court, District of Northern
17 California

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